

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Attorney Docket No.
LIH-14

As the below named inventors, I/We hereby declare that:

My/Our name(s), residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

If one name appears below, I am the sole inventor of the subject matter sought to be patented.

If two or more names appear below, we are joint inventors of the subject matter sought to be patented.

I/We believe I/We am/are the original; and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ADAPTIVE PATTERN RECOGNITION BASED CONTROL SYSTEM AND METHOD

the specification of which

☒ is attached hereto.

☐ was filed on _____ as application Serial No. _____.

I/We hereby state that I/We reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I/We also acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I/We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for the patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application: _____ Application No.

filed

Priority Claimed: _____ Yes _____ No

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I/We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/469,589</u> Application Serial No.	<u>6/6/95</u> Filing Date	<u>Pending</u> Status (patented, pending, abandoned)
<u>08/471,213</u> Application Serial No.	<u>6/6/95</u> Filing Date	<u>Pending</u> Status (patented, pending, abandoned)
<u>09/241,135</u> Application Serial No.	<u>2/1/99</u> Filing Date	<u>Pending</u> Status (patented, pending, abandoned)
<u>09/260,802</u> Application Serial No.	<u>3/2/99</u> Filing Date	<u>Pending</u> Status (patented, pending, abandoned)
<u>09/304,536</u> Application Serial No.	<u>5/4/99</u> Filing Date	<u>Pending</u> Status (patented, pending, abandoned)
<u>60/157,829</u> Application Serial No.	<u>10/5/99</u> Filing Date	<u>Pending</u> Status (patented, pending, abandoned)

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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I/We hereby appoint the following attorneys and/or agents to represent me with respect to the above identified U.S. Patent Application, and to prosecute any continuations, continuations-in-part, reissue applications and/or reexaminations with respect to these applications and to transact all business in the Patent and Trademark Office connected therewith, and hereby expressly revoke all prior powers, whatever they may be, heretofore had herein:

Karl F. Milde, Jr., Reg. No. 24,822; Steven M. Hoffberg, Reg. No. 33,511 and Kenneth E. Macklin, Reg. No. 20,875, all of 10 Bank Street, Suite 460, White Plains, New York 10606, my/our attorneys with full power of substitution and revocation.

Please address all telephone calls to Steven M. Hoffberg, Esq. at telephone No. (914) 949-3100.

Please address all correspondence to:

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MILDE, HOFFBERG & MACKLIN, LLP
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White Plains, New York 10606

Linda I. Hoffberg-Borghesani
NAME OF INVENTOR

Linda I. Hoffberg-Borghesani 2/2/2000
INVENTOR'S SIGNATURE DATE

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RESIDENCE

USA
CITIZENSHIP

Same as above
POST OFFICE ADDRESS

Steven M. Hoffberg
NAME OF INVENTOR

[Signature]
INVENTOR'S SIGNATURE

2/2/2000
DATE

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CITIZENSHIP

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Applicant or Patentee: Linda I. Hoffberg-Borghesani & Steven M. Hoffberg Attorney's
Serial or Patent No.: _____ Docket No.: 1/H-14
Filed or Issued: _____
For: ADAPTIVE PATTERN RECOGNITION BASED CONTROL SYSTEM AND METHOD

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(d) and 1.27 (b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled ADAPTIVE PATTERN RECOGNITION BASED CONTROL SYSTEM AND METHOD described in

☒ the specification filed herewith
☐ application serial no. _____ filed _____
☐ patent no. _____ issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization
☐ persons, concerns organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Linda I. Hoffberg-Borghesani
NAME OF INVENTOR

Steven M. Hoffberg
NAME OF INVENTOR

Linda I. Hoffberg-Borghesani
Signature of Inventor

[Signature]
Signature of Inventor

2/2/2000
Date

2/2/2000
Date

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